

THE FOLLOWING GREENWOOD COMMON COUNCIL ORDINANCE WILL BE INTRODUCED AT THE MAY 1, 2006, MEETING, WITH FIRST READING AT THE MAY 15, 2006, MEETING, AND SECOND READING AT THE JUNE 5, 2006, MEETING. **PLEASE NOTE THIS ORDINANCE IS SUBJECT TO AMENDMENTS BY THE COMMON COUNCIL.** IF YOU WISH TO SEE THE ADOPTED ORDINANCE PLEASE CONTACT THE CLERK-TREASURER OFFICE AT (317) 888-2100 OR VIA E-MAIL AT CLERK@GREENWOOD.IN.GOV FOR AN EXECUTED COPY AFTER THE SECOND READING.

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 06-14

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY REFERENCE IN ZONING ORDINANCE NO. 82-1 ENTITLED “AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF GREENWOOD, INDIANA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF I.C 36-7-4-600 et seq. LAWS OF INDIANA AS AMENDED, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith” (Proposed Rezoning of approximately 72 acres located North of Cutsinger Road and West of Averitt Road, commonly known as the City of Greenwood Property)

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter “Commission”) conducted a public hearing on the petition for the rezoning of approximately 72 acres located North of Cutsinger Road and West of Averitt Road within the area of extended jurisdiction of the City of Greenwood, from R-2 Residential – Single Family use to ROS – Recreational Open Space use; and

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation** (7 – 0) regarding said change in the zone map and certified the same to the Greenwood Common Council; and

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter; and

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above,

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Official Zoning Map referred to in Article 1, Section 1, of Ordinance No. 82-1, as amended, is amended as follows:

The following described real estate situated in the area of extended jurisdiction of the City of Greenwood, Indiana, and an area included in the Greenwood Common Council Annexation Ordinance No. 06-15, currently zoned R-2 Residential – Single Family use to ROS – Recreational Open Space use:

CITY OF GREENWOOD PARK LAND PARCEL

PART OF THE SOUTHEAST QUARTER OF SECTION 6, AND PART OF THE NORTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 13 NORTH, RANGE 4 EAST, JOHNSON COUNTY, INDIANA, BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 01 MINUTE 59 SECONDS EAST 1285.69 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 29 MINUTES 46 SECONDS EAST 1340.29 FEET TO THE EAST LINE OF THE WEST HALF

OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 01 MINUTE 00 SECONDS WEST 217.06 FEET ALONG SAID EAST LINE; THENCE NORTH 89 DEGREES 33 MINUTES 07 SECONDS EAST 728.08 FEET TO THE SOUTHWEST CORNER OF THAT PROPER1Y DESCRIBED AS EXCEPTION "D" TO TRACT 2 IN INSTRUMENT #2000-029863 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE NORTH 88 DEGREES 52 MINUTES 37 SECONDS EAST 612.36 FEET ALONG THE SOUTH LINE OF SAID EXCEPTION TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 52.20 FEET ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF THAT PROPER1Y DESCRIBED IN INSTRUMENT #2002-03427 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST ALONG THE NORTH LINE OF SAID PROPER1Y TO THE EAST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 1019.23 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID HALF QUARTER SECTION; THENCE SOUTH 00 DEGREES 07 MINUTES 51 SECONDS EAST 675.87 FEET PASSING INTO SAID SECTION 7, ALONG THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER, TO THE NORTHEAST CORNER OF THAT PROPER1Y DESCRIBED IN INSTRUMENT #1999-014228 IN THE OFFICE OF THE RECORD OF SAID COUNTY; THENCE SOUTH 89 DEGREES 52 MINUTES 43 SECONDS WEST 551.88 FEET ALONG THE NORTH LINE OF SAID PROPER1Y AND ITS WESTERN PROLONGATION TO THE NORTHERN PROLONGATION OF THE WEST LINE OF THAT PROPER1Y DESCRIBED IN INSTRUMENT #2001-025111 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 01 DEGREE 10 MINUTES 34 SECONDS WEST 806.57 FEET ALONG SAID PROLONGED LINE TO THE CENTERLINE OF CUTSINGER ROAD; THENCE NORTH 77 DEGREES 34 MINUTES 07 SECONDS WEST 622.65 FEET ALONG SAID CENTERLINE TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 03 MINUTES 53 SECONDS WEST 1333.66 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, AND CONTAINING 72.000 ACRES, MORE OR LESS.

Section 2. The Greenwood Plan Commission is hereby authorized to make the above described change to the official zoning map of the City of Greenwood.

Section 3. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 82-1, as amended, other than the Official Zoning Map referred to in Article 1, Section 1, of said Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law and after the above described commitments are made by the owner and recorded in the chain of title of the above described real estate in the office of the Recorder of Johnson County, Indiana.

Passed by the Common Council of the City of Greenwood, Indiana, this _____ day of _____, 2006.

Ronald Bates, President
Greenwood Common Council

FOR:

AGAINST:

ATTEST:

Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the _____ day of _____, 2006, is presented by me this _____ day of _____, 2006, at _____ O’Clock __.M, to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the _____ day of _____, 2006, is signed and approved by me this _____ day of _____, 2006, at _____ O’Clock __.M.

CHARLES E. HENDERSON, Mayor of
the City of Greenwood, Indiana